

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.* State Engineer,  
Plaintiff,

69cv07896-BB  
RIO TAOS ADJUDICATION

- v -

EDUARDO ABEYTA, *et al.* &  
CELSO ARELLANO, *et al.*,  
Defendants.

69cv07939-BB  
RIO HONDO ADJUDICATION  
Consolidated

Section: Rio Pueblo de Taos  
Ditch: Acequia Jose Venito Martinez

ORDER APPLYING PRIORITY DATE FOR ACEQUIA  
JOSE VENITO MARTINEZ TO INDIVIDUAL SUBFILES

In the May 13, 2002 Memorandum Opinion and Order (Docket No. 3026), the Court clarified procedures for determining subfile priority dates and stated that acequia-wide priority dates are to be applied to the water rights they serve. Each claimant has had an opportunity to prove an earlier priority date during the subfile phase and objectors will have the opportunity to prove later priority dates during the *inter se* phase. (No. 3026) On February 21, 2003, the Court entered a Memorandum Opinion and Order (No. 3102) that adopted a priority date of 1830 for the Acequia Jose Venito Martinez.

This Order applies the priority date adopted for the Acequia Jose Venito Martinez to each subfile irrigation water right it serves. The acequia-wide priority date does not apply to supplemental irrigation wells or springs, nor does it apply to individual subfile water rights previously denied by the Court. All water right claims denied have a priority date of "None." Subfile priority dates are listed in Exhibit A attached to this Order.

It is therefore ordered that the 1830 priority date adopted for Acequia Jose Venito Martinez is applied to individual subfile water rights as set forth in Exhibit A.



BRUCE D. BLACK  
UNITED STATES DISTRICT JUDGE

**EXHIBIT A**  
**ACEQUIA JOSE VENITO MARTINEZ**

<b>Individual Subfile Priority Dates</b>	
<b>Subfile Number</b>	<b>Priority Date</b>
17.39A	None
17.40A	None
17.41A	None
17.42	1830
17.43	1830
17.43A	1830
17.43B	1830
17.44	1830
17.45	1830
17.46	1830
17.47	1830
17.48	1830
17.49	1830
18.12	None
18.13	None
18.14	None